

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

**IN RE GOOGLE INC. COOKIE  
PLACEMENT CONSUMER PRIVACY  
LITIGATION**

**Case No. 12-MD-2358 (SLR)**

**This Document Relates to:  
ALL ACTIONS**

**DECLARATION OF STEPHEN G. GRYGIEL IN SUPPORT OF MOTION FOR  
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

**KEEFE BARTELS, LLC**

Stephen G. Grygiel (DE Bar ID #4944)  
John E. Keefe, Jr.  
Jennifer L. Harwood  
170 Monmouth Street  
Red Bank, NJ 07701  
Tel: 732-224-9400  
*sgrygiel@keefebartels.com*  
*Executive Committee Member*

**BARTIMUS, FRICKLETON,  
ROBERTSON & GORNY, P.C.**

James P. Frickleton  
Mary D. Winter  
Stephen M. Gorny  
Edward D. Robertson, Jr.  
11150 Overbrook Road, Suite 200  
Leawood, KS 66211  
Tel: 913-266-2300  
*jimf@bflawfirm.com*

*Executive Committee Member*

**STRANGE & CARPENTER**

Brian Russell Strange  
David Holop  
12100 Wilshire Boulevard, Suite 1900  
Los Angeles, CA 90025  
Tel: 310-207-5055  
*lacounsel@earthlink.net*

*Executive Committee Member*

**FINGER & SLANINA, LLC**

Charles Slanina (DE Bar ID #2011)  
David L. Finger (DE Bar ID #2556)  
One Commerce Center  
1201 N. Orange Street, 7th Floor  
Wilmington, DE 19801  
Tel: 302-573-2525  
*dfinger@delawgroup.com*

*Liaison Counsel*

*Additional Counsel on Signature Page*

I, Stephen G. Grygiel, having first been duly sworn, declare:

1. I am over the age of 18, and believe in the obligations of an oath.
2. I am a partner in Keefe Bartels, interim co-class counsel in this case, and am a member of the plaintiffs' counsel Executive Committee.
3. I make this declaration on the basis of my own personal knowledge. If called to testify, I could and would competently testify under oath to the contents of this declaration.
4. I submit this declaration in support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement with Defendant Point Roll, Inc. ("PointRoll"), for certification of a class for settlement purposes, for appointment of Plaintiffs William Gourley, Jose M. ("Josh") Bermudez, Nicholas Todd Heinrich, and Lynne Krause as the representatives of the Settlement Class, and for appointment of Interim Class Counsel (consisting of Keefe Bartels, LLC; Bartimus, Frickleton, Robertson & Gorny, P.C.; and Strange & Carpenter) as Settlement Class Counsel.
5. Attached as Exhibit A to the declaration of my co-counsel on the Executive Committee, Brian R. Strange, is a true and correct copy of the signed Settlement Agreement between Plaintiffs and PointRoll. Attached as Exhibits B and C, respectively, to Mr. Strange's declaration are a proposed publication notice and a proposed long form notice, as contemplated in the Settlement Agreement. I have personally read and revised, and understand the terms and conditions, of Exhibits A, B, and C. I incorporate them by reference in my declaration as if they were set forth fully.
6. The Settlement confers substantial benefits upon the Settlement Class, particularly in light of the costs, uncertainties, delays, and other risks associated with continued litigation, trial, and/or appeal.

7. PointRoll has agreed, among other things, to provide Plaintiffs and Class Counsel the opportunity to interview, in person, PointRoll employees knowledgeable about the conception, design, implementation, administration, purposes, uses, and termination of the Safari Cookie Technique (as defined in the Settlement Agreement). Class Counsel is entitled to discuss with knowledgeable PointRoll personnel, without limitation, the technological methods the Safari Cookie Technique involved and the business purposes for which the Safari Cookie Technique was used. Class Counsel believes these interviews will be very helpful for continued pursuit of this case against the Non-Settling Defendants.

8. The settlement was reached following extensive arms'-length negotiations conducted in good faith between, on the one hand, me, my co-counsel on the Executive Committee, namely Mr. Strange and James P. Frickleton, and on the other hand, PointRoll's counsel, Alan Charles Raul and Edward R. McNicholas. Over a period of approximately four months we discussed with Messrs. Raul and McNicholas the possibility, and potential contours, of a settlement with PointRoll. Many back and forth negotiations and discussions ensued. Ultimately we agreed upon and executed a formal settlement agreement.

9. Throughout the course of settlement negotiations, my co-Executive Committee members and I considered numerous factors, including, without limitation: Plaintiffs' liability theories and claims; class certification issues; summary judgment; trial; the possibility of appeals of any judgment and/or rulings of the trial court; and how these factors might add to the cost, delay, and uncertainty of litigation. Having fully evaluated the factual and legal strengths and weaknesses, and the respective equities, of the parties' respective positions, and the pendency of Plaintiffs' claims against the non-settling Defendants, I have concluded, in my experienced opinion, that the settlement is fair, adequate and reasonable, is in the best interests of the

Settlement Class, and merits the Court's preliminary approval.

10. While formal discovery has not yet commenced in this case, interim co-class counsel have thoroughly investigated the case's technical and factual issues. We have engaged and consulted with experts, analyzed the legal claims and defenses in light of different judicial explanations of cyberspace "transit" and "storage," and become extremely conversant in the rapidly evolving law of the Wiretap, Stored Communications and Computer Fraud and Abuse Acts.

11. PointRoll's counsel provided interim co-class counsel with settlement communications containing additional substantive information that assisted us in deciding the Settlement is fair, adequate and reasonable, and advisable. We required, as a material provision of the settlement agreement, that PointRoll affirm that PointRoll (i) used its cookies for advertising effectiveness purposes that did not include profiling specific users or behavioral advertising; (ii) used the Safari Cookie Technique for only two months; and (iii) received gross revenues not exceeding \$25,000 USD from the campaign for which it developed the Safari Cookie Technique.

12. Co-class counsel have been and remain confident in Plaintiffs' position and believe the Plaintiffs' claims are strong. However, all of us are experienced and realistic, and understand our duties compel us to weigh carefully the benefits of settlement here, including, without limitation, the information benefits here and the guaranteed recovery and certainty achieved through early settlement against the uncertainty inherent in the trial and appellate process. We concluded, after due deliberation, that the balance here favors this settlement. Among other arguments, PointRoll has insisted that it can demonstrate that it only conducted a limited deployment within the Safari browser to determine the effectiveness of mobile ads,

which ended on February 15, 2012. PointRoll has maintained that the deployment did not involve the collection, retention, or resale of any specific personal information.

13. Co-class counsel are prepared to establish that PointRoll's cookie circumvention technique violated federal statutes, injuring the Settlement Class and entitling the Settlement Class to damages. But PointRoll is also prepared to mount a vigorous defense on numerous important questions, including whether the claims are legally viable; and whether a litigation class and/or sub-classes can properly be certified under Fed. R. Civ. P. 23. Therefore, while we strongly disagree with PointRoll's analysis, and believe that both the law and facts support Plaintiffs' claims about PointRoll's cookie uses that violated federal statutes, nothing guarantees that Plaintiffs will ultimately prevail.

14. By Memorandum Order dated November 16, 2012 (Dkt. #44), this Court appointed Keefe Bartels, LLC; Bartimus, Frickleton, Robertson & Gorny, P.C.; and Strange & Carpenter as co-interim class counsel pursuant to Rule 23(g)(3) of the Federal Rules of Civil Procedure. In doing so, the Court noted our firms' "experience in large class actions and with substantial privacy rights litigation," our "impressive credentials and the underlying qualifications to serve as lead counsel," our "understanding of the legal issues," our "work to identify or investigate potential claims," and "the resources [we] will bring to bear on behalf of the putative class." (Order, pages 3-4).

15. As the Court has recognized, I have substantial experience in complex class actions, including cases similar to this. I am currently serving as a member of the Plaintiffs' Executive Committee in a privacy rights action pending against Facebook in the Northern District of California (San Jose Div.), *In re: Facebook Internet Tracking Litigation*, No. 5:12 – md-02314-EJD, in which I lead the oral argument for the Plaintiffs against Facebook's motion to

dismiss. That case presents a number of issues that exist in Plaintiffs' claims against PointRoll.

I have also been class counsel in a number of other federal and state court securities, unfair business practices and consumer fraud actions that have resulted in tens of millions of dollars being returned to consumers. I am highly conversant with the federal and state statutory and common law concerning cyberspace privacy. Attached hereto as Exhibit A is the Keefe Bartels firm resume.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 23<sup>rd</sup> day of September, 2013, at Red Bank, New Jersey, 07701.

/s/ Stephen G. Grygiel

Stephen G. Grygiel  
KEEFE BARTELS, LLC  
170 Monmouth Street  
Red Bank, NJ 07701  
Tel: 732-224-9400  
sgrygiel@keefebartels.com

# EXHIBIT A



### About the Firm

With offices throughout New Jersey in Red Bank, Newark, and New Brunswick, the law firm of Keefe Bartels aggressively pursues maximum recovery in plaintiffs' litigation including products liability, general negligence, class actions, environmental pollution, and employment and consumer fraud. This geographic diversity assures immediate access to all Federal and State Courts and various business centers throughout New Jersey, New York, and Pennsylvania.

Keefe Bartels has substantial experience, skill and competency in dealing with class actions and complex civil litigation. Its attorneys have handled numerous mass tort and class matters including Rezulin, Diet-Drug, Breast Implant, Vioxx and Asbestos litigation. John E. Keefe, Jr., a managing partner and Certified Civil Trial Attorney, was appointed plaintiffs' co-lead counsel in the historic consumer fraud national class action, *Talalai v. Cooper Tire & Rubber Co.*, the settlement of which is valued at between one billion (\$1,000,000,000) and three billion (\$3,000,000,000) dollars to consumers. As part of preliminary settlement approval, the Talalai Court described Mr. Keefe's firm as well-versed in the field of complex mass tort litigation. The firm has been involved in numerous mass tort litigation matters in recent years including asbestos/mesothelioma, diet drug, breast implant, Propulsid® and Rezulin®, John Keefe, Jr., Esq. heads the firm's plaintiff personal injury department.

*Talalai v. Cooper Tire & Rubber Co.*, MID-l-8839-00, slip op. at 13 (October 30, 2001). The Court in *Janes v. Ciba*, where John E. Keefe, Jr., Esq., serves as lead counsel, found:

The court agrees with plaintiffs that their attorneys are qualified and experienced to conduct this litigation. Class counsel has the requisite experience, skill, and competency in dealing with class actions and complex civil litigation.

*Janes v. CIBA-GEIGY Corp.*, MID-L-1669-01 (Law Div. May 16, 2003) (Slip. Op., *Corodemus, J.*), at p. 22.

Combined with the attorneys' talents are the noteworthy abilities and dedication of the paraprofessionals and support personnel who, together, ensure that each client is provided outstanding, timely, and cost effective representation and service.

**For more information, please visit the firm's website at [www.keefebartels.com](http://www.keefebartels.com)**

### Office Locations

**Monmouth County:**

170 Monmouth Street  
Red Bank, NJ 07701  
TEL: (732) 224-9400  
FAX: (732) 224-9494

**Middlesex County:**

57 Paterson Street  
New Brunswick, NJ 08901  
TEL: (732) 253-7870  
FAX: (732) 253-7872

**Essex County:**

263 Lafayette Street  
Newark, NJ 07105  
TEL: (973) 274-0408  
FAX: (973) 274-0409





### Attorney Profiles



**John E. Keefe, Jr.**

**Certified Civil Trial Attorney**



John E. Keefe, Jr., a Certified Trial Attorney, has devoted much of his time to civil trial practice in Middlesex, Monmouth and Ocean Counties, specializing in negligence and product liability as well as complex mass tort litigation. John was admitted to the bar in 1990.

Having founded Keefe Bartels in 1996, John, the firm's co-managing partner, leads our plaintiffs' personal injury, mass tort litigation and complex litigation department. He has tried numerous matters to verdict and prosecuted hundreds of cases on behalf of victims of catastrophic loss. He has been appointed by the Superior Court as plaintiffs liaison counsel in an historic consumer fraud national class action, *Talalai v. Cooper Tire & Rubber Co.* (Docket No.: MID-L-8830-00-MT) the settlement of which is valued at between one billion (\$1,000,000,000) and three billion (\$3,000,000,000) dollars to consumers. John was lead counsel on behalf of plaintiffs in one of the largest pollution cases in New Jersey, *Janes v. Ciba Geigy Corporation* (Docket No.: MID-L-1669-01-MT). John served as local counsel in the securities class action litigation, *In Re Sears, Roebuck & Co. Securities Litigation* (Docket No. 02-C-07527) which resulted in a two hundred and fifteen million dollar (\$215,000,000) cash settlement.

Also, John served as liaison counsel in *In Re Royal Dutch/Shell Transport Securities Litigation* - (Civil Action No.: 04-374 (JWB)) before Judge Joel Pisano and the *Hormone Replacement Therapy Litigation* (Docket No.: ATL-2093-04 MT) before Judge Carol E. Higbee. He has also served as Co-Counsel in a national consumer fraud class settlement in Chicago, Illinois on behalf of thousands of consumers nationwide. Additional matters John has handled include: motor vehicle wrongful death, product liability, disfigurement, total disability, premises liability, burn injuries, worksite OSHA violations, multiple trauma, hospital negligence wrongful death and long term care negligence involving burns and wrongful death.

AV rated by Martindale-Hubbell, John earned his B.A. degree from Gettysburg College in 1987 and his Juris Doctor degree at Seton Hall University School of Law in 1990. He is admitted to the Bar of the State of New Jersey, U.S. District Court, District of New Jersey and the U.S. District Court, Northern District of Florida, and Washington D.C.



### Attorney Profiles



**Patrick J. Bartels**

**Managing Member**

AV<sup>®</sup>



Patrick Bartels is a founding member and co-managing member of the Keefe Bartels. Patrick practices extensively in the areas of complex toxic tort matters involving asbestos and benzene exposures, as well as employment law and class action litigation. He specializes in the representation of individuals suffering from occupational diseases such as asbestosis and mesothelioma.

Patrick graduated from the University of Dayton and the University Of Dayton School Of Law. He served as a Captain in the United States Air Force Judge Advocate General (JAG) Department from 1982 to 1987. While serving as a Judge Advocate Patrick litigated over 50 criminal trials and numerous administrative hearings. He was honorably discharged from the Air Force in 1987.

Following a brief tenure at a small Plaintiff's firm in Philadelphia, Pennsylvania, Patrick accepted a position as an Assistant Prosecutor in the Middlesex County Prosecutor's office in New Brunswick, New Jersey from 1989 to 1992 during which time he tried numerous felony matters before the Superior Court. Additionally, Patrick successfully argued several matters before the New Jersey Appellate Division involving important search and seizure issues affecting schools and emergency situations. Patrick also served as the County's first legal advisor to the then newly formed Middlesex County Environmental Crime Task Force.

In 1992, Patrick joined Garruto Galex & Cantor in East Brunswick, New Jersey where he worked in their asbestos litigation department. Since that time, Patrick has successfully represented hundreds of victims of asbestos-related diseases. Patrick's notable accomplishments include mesothelioma jury verdicts of \$3.5million and \$2.1million dollars and mesothelioma settlements of \$1.65million, \$1.275million, and \$1.1million.

Patrick served as Co-Counsel in a national consumer fraud class settlement in Chicago, Illinois on behalf of thousands of consumers nationwide. Recently, he served as Co-Counsel in a consumer fraud action seeking class certification, Cooper et al. v. Cendant Corporation et al. He has managed and prosecuted numerous complex matters involving defective products such as Rezulin and breast implants.

Patrick is a member of the Million Dollar Advocates Forum and is admitted to practice in the State and Federal Courts in New Jersey, the Commonwealth of Pennsylvania, the Eastern District of Pennsylvania, and the U.S. Court of Military Appeals. Patrick is also a member of the Middlesex County Bar Association and Trial Attorneys of New Jersey.



### Attorney Profiles



**Stephen G. Grygiel**

**Class Action Co-Chair/Member**



Stephen G. Grygiel is a member and co-chair of the Keefe Bartels Class Action Department. Steve Grygiel's class action and complex litigation practice focuses primarily on consumer and other class actions, shareholder rights, and securities and corporate governance.

Steve has successfully litigated and tried shareholder dissolution and shareholder rights cases and injunction actions, bankruptcy court adversary proceedings (recoupment and debtor fraud), and many other corporate and commercial matters. These include *In re Sprint Corp. Shareholders Litig.* (Dist. Ct., Johnson Cty., Kansas, 04-CV-01714) (tracking stock recombination; \$57.5 Million settlement); *In re New York Stock Exchange/Archipelago Merger Litig.* (N.Y. Sup. Ct., Index No. 601646/05); *In re Marsh & McLennan Companies, Inc. Sec. Litig.* (S.D.N.Y. 04-CV-08144) (securities fraud; \$400 Million Settlement); *In La. Mun. Police and Employees Retirement System, et al. on behalf of Shareholders of Caremark RX* (Del. Ct. Chan. 2635-CC).

Steve has written and spoken on numerous topics, including the implications of the Supreme Court's *Twombly* and *Iqbal* rulings for third party payor cost-recovery pharmaceutical litigation, the Class Action Fairness Act, ethical issues in class action practice, and the Supreme Court's *Stoneridge* and *Tellabs* decisions.

AV rated by Martindale-Hubbell, Steve graduated from Hamilton College (magna cum laude, Phi Beta Kappa, 1979) and from Harvard Law School (1986). Steve clerked for the Chief Justice of Maine's Supreme Judicial Court before entering practice. Steve is admitted in Maine, Massachusetts, Delaware and New York.



### Attorney Profiles



**John E. Keefe, Sr.**

**Of Counsel**



Judge Keefe graduated from Rutgers University in 1962 and from Rutgers University School of Law, Newark, in 1965. Appointed to the bench in 1977, Judge Keefe's judicial career spanned nearly twenty-five years. He retired in 2001 from his position as a Presiding Judge of the Appellate Division of the New Jersey Superior Court where he served for thirteen years. He is now of counsel to the firm of Keefe Bartels in Shrewsbury, New Jersey.

Prior to this appointment to the bench, Judge Keefe was a civil trial attorney. His trial practice involved various areas of law, including medical malpractice, product liability and insurance. Shortly after becoming a judge, he was designated to supervise and administer a pilot project involving statewide asbestos litigation. As a result of that designation, he was responsible for the appointment of the first full-time Special Master in New Jersey, and developed uniform discovery procedures that were recognized on a national level. In 1984, he was appointed to the position of Presiding Judge of the General Equity Part. He served in that capacity and as Asbestos judge until he was appointed to the Appellate Division in July 1988. During his tenure in the Superior Court, Judge Keefe also served on several committees and chaired the Committee on Model Civil Charges and Complex Case Management.

In addition to his judicial service, Judge Keefe has been a frequent lecturer at the Institute for Continuing Legal Education, the New Jersey Bar Association, and the Trial Attorneys of New Jersey. In June 2001, he received the Institute for Continuing Legal Education's Distinguished Service Award; in 2003, he was a recipient of the James McLaughlin Professionalism Award from the Civil Trial Bar Section of the New Jersey State Bar Association; and in 2005, he received the David L. Golden Lifetime Achievement Award from the Trial Attorneys of New Jersey. Judge Keefe served as an Adjunct Professor of Law at Seton Hall University School of Law for 15 years. He is a member of the American Law Institute and participated in its Consultive Group during the formation of the Restatement (Third) of Torts: Product Liability. Along with Hon. William A. Drier and Eric D. Katz, Judge Keefe is an author of New Jersey Products Liability & Toxic Tort Law published by Gann Law Books.

In addition to his of counsel duties to the firm, Judge Keefe focuses his practice on mediation, arbitration, complex case management, special master services, and consultation in connection with complex litigation.



### Attorney Profiles



**C. Judson Hamlin**

**Of Counsel**

A resident of Cranbury, NJ and receiving his J.D. degree from New York University in June 1963, Judge Hamlin then clerked for the Honorable David D. Furman of the Superior Court of New Jersey.

After his clerkship, Judge Hamlin began an active civil trial practice in tort, contract and land use matters. He was counsel to the East Brunswick Planning Board for four years. As a partner in the New Brunswick law firm of Hicks, Kuhlthau, Nagle and Hamlin (1967-1971), Judge Hamlin appeared in banking matters before the New Jersey Department of Banking and the United States Controller of Currency. In 1967, Judge Hamlin was appointed to lead the first public defender program in Middlesex County. He served as Deputy Public Defender in charge of that office from 1967 to 1971.

Judge Hamlin was appointed First Assistant Prosecutor of the Middlesex County in 1971. He led major investigations and personally tried high profile cases. In 1974, Governor Brendan Byrne appointed Judge Hamlin as Middlesex County Prosecutor, a position he held until 1978. During his term in office, he conducted major public corruption probes and supervised a large staff.

Appointed to the bench in 1978, Judge Hamlin served in the Superior Court of Middlesex County until his 1998 retirement. He sat in the Criminal and Civil Divisions; was Presiding Judge of the Civil Division; Presiding Judge of the Chancery Division; and served as the statewide Mass Tort Judge.

After retiring, Judge Hamlin was appointed Executive Director of the National Phen Fen settlement trust and developed his active and highly regarded ADR practice.

**Areas of Practice:**

70% Mediation

20% Arbitration

10% Of Counsel Consultation and Discovery Master Services





### Attorney Profiles



**Viviana Cosme-Bravo**

**Of Counsel**

Viviana is a first generation American. Born in New Jersey, she remains a lifelong resident of the Garden State. Viviana focuses her practice on immigration and municipal court.

Viviana received her law degree from New York Law School in 2010. Viviana worked as a law firm Associate in Union City, NJ where she handled a variety of immigration matters including removal defense, immigrant and non-immigrant visa petitions, adjustment interviews, naturalization applications and special immigrant juvenile status cases. Viviana also has over ten years of legal experience working as a paralegal in the bankruptcy, foreclosure and real estate fields.

Viviana is a member of the NJ State Bar Association, New York City Bar Association, New York County Layer's Association.

**Education:**

- J.D., New York Law School 2010
- B.A. Political Science Montclair State University 2003

**Bar Admissions:**

- NJ 2011
- NY 2011
- District of NJ 2011
- Eastern District of NY 2011
- 3rd Circuit Court of Appeals 2012

**Professional Affiliations:**

- NJSBA
- NYSBA
- AILA, NJ Chapter (American Immigration Lawyers Association)
- ABA
- Essex County Bar Association

**Areas of Practice:**

- Immigration 90%
- Municipal Court 10%
- Family Law
- Bankruptcy



### Attorney Profiles



#### **Christopher D. Dize**

##### **Associate**

For many years before deciding to become a lawyer, Chris Dize operated his own business as a commercial fisherman in the Chesapeake Bay, just as his father and grandfather before him. He knows what it means to get up early and put in a hard day's work, and he brings this dedication and discipline to his job as an attorney.

Chris graduated from Seton Hall University School of Law, where he interned with federal District Court Judges Tonianne J. Bongiovanni and William J. Martini. Following graduation, Chris served as a law clerk to Judge Douglas M. Fasciale in the Appellate Division of New Jersey's Superior Court. During his clerkship, Chris developed a broad understanding of the many diverse areas of New Jersey law, including civil, criminal, family, tax, and administrative law. He worked closely with Judge Fasciale on important published decisions, such as the multi-million dollar insurance dispute of Building Materials Corporation of America v. Allstate Insurance Company, 424 N.J. Super. 448 (App. Div. 2012), and the land use and zoning decisions of Borough of Saddle River v. 66 East Allendale, LLC, 424 N.J. Super. 516 (App. Div. 2012), and Columbro v. Lebanon Township Zoning Board of Adjustment, 424 N.J. Super. 501 (App. Div. 2012).

Today, Chris brings his behind-the-scenes knowledge and experience of the New Jersey court system to the firm of Keefe Bartels. He focuses his practice on civil litigation, representing people who have been injured and assisting them in trying to get their lives back on track.

#### **Areas of Practice:**

Personal Injury	Automobile Accidents
Slip and Fall	Dog Bite
Consumer Fraud	Medical Device Litigation
Defective Products	Class Actions
Complex Litigation	Privacy Law
Intellectual Property	Copyright
Appellate Practice	

#### **Bar Admissions:**

New Jersey, 2011  
U.S. District Court District of New Jersey, 2012

#### **Professional Associations and Memberships:**

New Jersey Bar Association

1964

# KEEFE BARTELS

TRIAL ATTORNEYS

## Attorney Profiles



**John E. Gregory**

**Associate**

John Gregory focuses his practice on seeking justice for those in need. He represents people and organizations in complex litigation and personal injury matters. John has represented hundreds of clients since being admitted to practice law in the states of New Jersey and New York. He has taken many of these cases to trial throughout New Jersey securing jury verdicts for his clients in the face of opposition from irresponsible parties. John serves as lead counsel on numerous catastrophic injury cases on behalf of injured people. He has successfully spearheaded the prosecution of wrongful death actions on behalf of families who have lost loved ones. He has secured compensation for workers and laborers injured on the job. Additionally, John has worked as a lead attorney in a class action suit brought against a New Jersey pharmaceutical company in an effort to recover ill-gotten gains for defrauded union health and welfare funds and individuals. Every day, John aims to do his best to bring about just and fair results for his clients.

John's work for his clients has led to New Jersey Monthly Magazine recognizing him as a New Jersey Super Lawyer Rising Star. As a result of working to protect the under protected Mr. Gregory has also been selected by The National Trial Lawyers Association as a "Top 40 Under 40" civil trial attorney, an honor acknowledging accomplished trial lawyers throughout the country under the age of 40. Striving to ensure the sanctity of all people's rights to a jury trial, Mr. Gregory also serves as a trustee to the Trial Attorneys of New Jersey.

Outside of his legal work, John gives thanks for every minute he has with his family. In the summer you can find the Gregory family riding their bikes back and forth to the beach, usually with no shoes. In the winter you might see them heading north with snowboards on top of the car with fingers crossed, hoping for snow. But, usually, you'll just find them in the backyard messing around in the garden, showing the boys why worms aren't gross.

**Litigation Percentage:**

100% of Practice Devoted to Litigation

**Bar Admissions:**

New Jersey, 2000

New York, 2001

U.S. District Court District of New Jersey, 2000

**Professional Associations and Memberships:**

Trial Attorneys of New Jersey, 2011: Trustee

NJ Superlawyer, 2010, 2011: Rising Star

"40 under 40" National Trial Lawyers

Middlesex County Trial Lawyers Association, Member





### Attorney Profiles



**Jennifer L. Harwood**

**Associate**

Jennifer concentrates her practice in the areas of complex mass tort, class actions, wrongful death litigation, personal injury, products liability, and medical malpractice. Jennifer has consistently been named a "New Jersey Super Lawyers Rising Star" for the past six years by New Jersey Monthly Magazine, an honor that only 2.5% of all lawyers in New Jersey receive annually. In 2012, Jennifer was selected by The National Trial Lawyers Association as one of the Top 40 attorneys under the age of 40 in the State of New Jersey.

Jennifer recently spoke on the topic *Using the Internet to Improve Your Practice* at the New Jersey State Bar Association's Mid-Year Meeting in Ireland in November, 2011. In her free time, Jennifer volunteers as a Court Appointed Special Advocate responsible for watching over and advocating for abused and neglected children in the foster care system.

Jennifer earned a Bachelor of Arts degree in Political Science and a Bachelor of Science degree in the Administration of Justice from Rutgers University in 1997. Upon earning her Juris Doctorate degree from Seton Hall University School of Law in 2001, she clerked for the Honorable Edmond M. Kirby, J.S.C. in the Superior Court of New Jersey, Essex County. Jennifer is admitted in New Jersey and New York. She is currently a member of the New Jersey State Bar Association, the National Trial Lawyers Association and the American Association for Justice.

**Areas of Practice:**

- Personal Injury
- Products Liability
- Medical Malpractice
- Class Actions
- Complex Mass Tort
- Wrongful Death Litigation

**Bar Admissions:**

- New Jersey
- New York
- U.S. District Court District of New Jersey

**Professional Associations and Memberships:**

- Middlesex County Bar Association: Member
- New Jersey State Bar Association: Member
- New York State Bar Association: Member
- American Association for Justice: Member



### Attorney Profiles



**Joshua S. Kincannon**

**Associate**

Joshua S. Kincannon is an associate at Keefe Bartels, and currently heads the defective medical device implant litigation department at Keefe Bartels. He has helped recover millions of dollars for victims of defective medical device implants throughout the country. His practice centers on product liability litigation, specifically defective knee, hip, and wrist implants, as well as other serious personal injury cases and class actions.

As an associate, Josh worked with plaintiffs' liaison counsel in a historic consumer fraud national class action, *Talalai v. Cooper Tire & Rubber Co.*, a case that resulted in a large settlement which is valued between \$1 billion and \$3 billion to consumers. He currently works with lead counsel on behalf of plaintiffs in one of the largest pollution cases in New Jersey, *Janes v. Ciba Geigy Corporation*. The case is a certified class action on behalf of property owners who have seen their property values greatly affected by living in the shadows of one of the country's worst pollution sites.

Josh won the prestigious Dean's Merit Scholarship to Rutgers Law School in Camden. During his tenure at Rutgers, he volunteered his time at an elementary school in downtown Camden. Josh's passion to help others continues in his work at Keefe Bartels.

**Areas of Practice:**

- Class Actions
- Complex Litigation
- Consumer Fraud
- Toxic Tort
- Asbestos Exposure / Mesothelioma
- Medical Device / Products Litigation
- State Trial Practice
- Wrongful Death -- Plaintiff
- Serious Motor Vehicle Accidents -- Plaintiff
- Premises Liability -- Plaintiff
- Slip and Fall -- Plaintiff

**Bar Admissions:**

- New Jersey, 2000
- Pennsylvania, 2000
- U.S. District Court Northern District of Florida, 2003



### Attorney Profiles



**Robert A. Storino**

**Associate**

Robert A. Storino is an associate attorney at Keefe Bartels. Robert graduated from Rutgers College, Rutgers University in 1991 with a double major in English and Political Science. He was frequently on the Dean's List and admitted into Pi Sigma Alpha, the national Political Science Honor Society. Robert received his Juris Doctor from the Boston College Law School in 1995, where he participated in Moot Court and was a member of the Latin American Law Students Association ("LALSA"). Robert served as Law Clerk to the Honorable Douglas T. Hague, J.S.C. of the New Jersey Superior Court, Civil Division in both Essex and Middlesex Counties in 1995.

Thereafter, he worked in personal injury law firms in Newark and West Caldwell, New Jersey where he gained varied legal experiences in the Superior Court of New Jersey (Civil Part, Criminal Part & Chancery Part), the Appellate Division, the Division of Workers' Compensation and the United States District Court of New Jersey. He then worked in the corporate legal departments of Prudential Insurance Company in Newark and AT&T in Basking Ridge, wherein he worked primarily on complex case litigation. In 2002, he joined the New Jersey Office of the Attorney General, Office of the Insurance Fraud Prosecutor ("OIFP") as a Deputy Attorney General, where he represented the State in civil actions filed against individuals and entities for violation of the Insurance Fraud Prevention Act, N.J.S.A. 17:33A-3 et seq.

Robert is admitted to practice in the States of New York and New Jersey and the United States District Court for the District of New Jersey. He is also a member of the New Jersey and New York State Bar Associations, the Hispanic Bar Association of New Jersey and the American Bar Association. Since joining Keefe Bartels in 2006, Robert has worked primarily on mass tort litigation including pharmaceutical and securities litigation, as well as consumer fraud actions, negligence claims and personal injury matters.



### Attorney Profiles



**Stephen T. Sullivan**

**Associate**

Stephen graduated *magna cum laude* from Trenton State College with a Bachelor of Arts Degree in Political Science and *cum laude* from Villanova University School of Law. At Villanova, he was a member of the Moot Court Board and the *Villanova Law Review*.

Stephen was admitted to the New Jersey and the District Court of New Jersey Bars in 1997. He was admitted to the Pennsylvania Bar in 2000. He is a member of the Middlesex County and New Jersey State Bar Associations.

Upon graduation from law school, Stephen served as a judicial law clerk to the Honorable Marina Corodemus, J.S.C. in the Superior Court, Middlesex County. During his clerkship, he assisted Judge Corodemus in the centralized management of mass tort and toxic tort litigation, including tobacco, diet drugs, and breast implants.

Since joining the Keefe Bartels, Stephen has concentrated within the Firm's core practice areas, including personal injury, wrongful death, consumer fraud, toxic tort, mass tort and class action litigation.

**Education:**

**Villanova University School of Law**, Villanova, Pennsylvania, May, 1997

*Juris Doctorate*

*Honors: Cum Laude*

*Honors: Villanova Law Review*

*Honors: Villanova Moot Court Board*

**Trenton State College**, Ewing Township, New Jersey, May, 1994

*B.A., Political Science*

*Honors: Magna Cum Laude*

*Honors: Pi Kappa Phi Honor Society*

*Honors: Blue Key Honor Society*

*Minor: Criminal Justice*